

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

GLOBALMEDIA GROUP LLC,

CASE NO. 5:11-CV-00778-EJD

Plaintiff,

**ORDER GRANTING LEAVE TO FILE  
SECOND AMENDED PETITION**

v.

LOGITECH INC,

[Re: Docket Item No. 36]

Defendant.

Pending before the court is GlobalMedia, LLC's Motion for Leave to File Second Amended Application/Petition to Compel Arbitration. Aug. 15, 2011, ECF No. 36. The motion aims to refine the allegations of the petition giving rise to subject matter jurisdiction based on diversity of citizenship. The motion is well-taken and unopposed, so it is granted.

GlobalMedia's amended pleading moots all pending motions to dismiss (ECF Nos. 9 & 30) and supersedes the earlier filed petitions (ECF Nos. 1 & 14). Recognizing that many of the arguments raised in Logitech's pending motion to dismiss and opposition to the currently operative petition will persist even after GlobalMedia's amendment of the petition, the court sets an accelerated briefing schedule on the amended petition that is intended to prevent the repetition of arguments already made. Supplemental briefing is requested with regard to the application of the GlobalMedia-APAC-AdjustaCam contracts that were submitted on Aug. 16, 2011. The opportunity for supplemental briefing moots Logitech's only objections to those documents.

1 IT IS HEREBY ORDERED that GlobalMedia's Motion for Leave to File Second Amended  
2 Application/Petition to Compel Arbitration (ECF No. 36) is GRANTED. GlobalMedia shall file its  
3 Second Amended Petition on or before April 6, 2012.

4 IT IS FURTHER ORDERED that Logitech shall file any opposition to the petition and  
5 motion to dismiss the Second Amended Petition as one document, on or before April 20, 2012.  
6 Since Logitech has already briefed an opposition/motion to dismiss on a substantially similar  
7 petition, the renewed opposition/motion to dismiss (1) shall not exceed six (6) pages in length, and  
8 (2) shall not raise any new ground in opposition or for dismissal which could have been raised on or  
9 before August 5, 2011 (the date of the previous opposition/motion to dismiss). If Logitech wishes to  
10 raise any argument in opposition or ground for dismissal that is found in the briefing on prior  
11 motions to dismiss, that ground should simply be noted, cited, and incorporated by reference. The  
12 bulk of the six pages should be spent discussing the assignment contracts, which Logitech has not  
13 previously had the opportunity to address. Because the parties have already presented arguments on  
14 most of the issues the court expects Logitech to raise in its renewed opposition/motion to dismiss, no  
15 hearing date should be noticed for the renewed motion.

16 IT IS FURTHER ORDERED that GlobalMedia shall file any reply in support of its petition  
17 and any opposition to Logitech's renewed motion to dismiss as one document, on or before April 27,  
18 2012. Since GlobalMedia has already briefed an opposition to a motion to dismiss on a substantially  
19 similar petition, the reply/opposition shall not exceed six (6) pages in length. To the extent  
20 GlobalMedia wishes to repeat arguments already made in prior filings, those arguments should be  
21 noted, cited, and incorporated by reference only.

22 IT IS FURTHER ORDERED that Logitech shall file any reply in support of its renewed  
23 motion to dismiss on or before May 4, 2012. GlobalMedia's petition and Logitech's renewed motion  
24 will be deemed submitted without a hearing upon the completion of the briefing schedule set out  
25 herein.


26 IT IS FURTHER ORDERED that Logitech's Objection to New Evidence (ECF No. 42) is  
27 OVERRULED AS MOOT.

28 /

1 IT IS FURTHER ORDERED that the Case Management Conference previously scheduled  
2 for April 20, 2012, is continued to June 1, 2012, at 10:00 a.m. Logitech's motion to continue the  
3 previously scheduled conference (ECF No. 46) is TERMINATED AS MOOT.

4  
5 **IT IS SO ORDERED.**

6  
7 Dated: March 30, 2012

  
EDWARD J. DAVILA  
United States District Judge